

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LEE-RAY TARANTINO CO, INC., d/b/a
GOLDEN STATE PRODUCE CO.,

Plaintiff,

v.

THEODORAS KOLIATISIS, d/b/a 4TH &
GEARY FARMERS MARKET,

Defendant.

No. C 07-5705 CW

TEMPORARY
RESTRAINING ORDER
AND ORDER TO SHOW
CAUSE WHY A
PRELIMINARY
INJUNCTION SHOULD
NOT ISSUE

Upon the declaration of Michael Lai, the Attorney
Certification Why Notice Should Not Be Required Pursuant to Rule
65(b), and upon the copy of the complaint hereto and pleadings in
support, it is

ORDERED that the above-named Defendant show cause before this
Court, at Courtroom 2 of the United States District Court for the
Northern District of California, located at 1301 Clay Street,
Oakland, California, on November 27, 2007 at 2:00 p.m., or as soon
thereafter as counsel may be heard, why an order should not be
issued pursuant to Rule 65 of the Federal Rules of Civil Procedure
enjoining Defendant, his customers, agents, officers, subsidiaries,
assigns and banking institutions, during the pendency of this
action from alienating, dissipating, paying over or assigning any
assets of Theodoras Koliatsis, d/b/a 4th & Geary Farmers Market, or
his subsidiaries or related companies, except for payment to

1 Plaintiff until further order of this Court or until Defendant pays
2 Plaintiff the sum of \$328,344.36 by cashier's check or certified
3 check, at which time this Order is dissolved; and it is further

4 ORDERED that, sufficient reasoning having been shown
5 therefore, pending the hearing of Plaintiff's application for a
6 preliminary injunction, pursuant to Rule 65 of the Federal Rules of
7 Civil Procedure, Theodoras Koliatsis, d/b/a/ 4th & Geary Farmers
8 Market, his customers, agents, officers, subsidiaries, assigns and
9 banking institutions are temporarily restrained and enjoined from
10 alienating, dissipating, paying over or assigning any assets of
11 Theodoras Koliatsis, d/b/a 4th & Geary Farmers Market, or his
12 subsidiaries or related companies, except for payment to Plaintiff
13 until further order of this Court or until Defendant pays Plaintiff
14 the sum of \$328,344.36 by cashier's check or certified check, at
15 which time this Order is dissolved; and it is further

16 ORDERED that bond shall be waived in view of the fact that
17 Defendant now holds \$328,344.36 worth of Plaintiff's assets and
18 Defendant has ceased all operations; and it is further

19 ORDERED that service of a copy of this Order and annexed
20 declaration by overnight mail upon Defendant or his counsel on or
21 before November 10, 2007 shall be deemed good and sufficient
22 service thereof. Defendant shall file and serve any opposition by
23 November 16 and Plaintiff may reply by November 20.

24
25 Dated: November 9, 2007



CLAUDIA WILKEN
United States District Judge